

Amendments to the Claims

The following listing of claims will replace all prior versions and listings of claims in the application, including those listed in the Request For Continued Examination (RCE) submitted on October 2, 2003.

1. - 28. (Cancelled)

29. (Currently Amended) A fastener adapted for use in forming a dental ~~mandibular~~ splint having a first arch member and a second arch member for treating a person suffering from a sleep disorder, the first arch member having a first extension member and a second extension member, such that the fastener interconnects the first and second extension members to form the first arch member, the fastener including:

D, ~~a locator for locating the fastener at a preselected position within the mouth of the person being treated, an adjustable connector for cooperatively connecting the fastener to the second arch member for selectively adjusting the position of the first and second arch members with respect to each other to adopt a predetermined position within the mouth of the person being treated;~~

a first attachment member for adjustably attaching one of the first or second extension members of the first arch member to the fastener allowing selective angular adjustability of the first extension member to the first attachment member, and;

a second attachment member for adjustably attaching the other of the first or second extension members to the fastener to provide for selective angular adjustability of the second extension member with respect to the second attachment member,

wherein the respective positions of the first and second extension members are [capable of being] selectively angularly adjusted with respect to the fastener by hinged or pivotal movement about the respective attachment members to adopt selective orientations within the mouth of the person to accommodate the specific requirements of the person being treated in order to treat the sleep disorder.

30. (Currently Amended) A fastener according to claim ~~60~~ 29 in which the fastener includes a base plate and a cover, ~~and wherein the locator extends substantially perpendicularly from the base plate.~~

31. (Original) A fastener according to claim 30 in which the locator is located centrally within the fastener and is located at or towards the front of the fastener in use.

32. (Currently Amended) A fastener according to claim 31 in which the locator is a flange, tag, tab, loop, ring, groove, post defining an aperture therein, or flap.

33. (Original) A fastener according to claim 30 in which the adjustable connector is movable with respect to at least one of the base plate or cover.

34. (Original) A fastener according to claim 33 in which the adjustable connector includes a hook, clip, or clasp.

35. (Original) A fastener according to claim 34 in which the hook is provided with a shank and the shank is provided with an internally threaded aperture for receiving an externally threaded shaft so that rotation of the shaft within the aperture moves the hook with respect to at least one of the base plate or cover.

36. (Original) A fastener according to claim 35 in which at least part of the hook is located in a cavity or chamber formed intermediate the base plate and the cover.

37. (Original) A fastener according to claim 36 in which the cover is provided with a slot through which a part of the hook is received for movement in a lengthwise extending direction of the slot.

38. (Original) A fastener according to claim 37 in which the part of the hook received for movement in a lengthwise extending direction of the slot is the shank of the hook.

39. (Original) A fastener according to claim 38 in which the attachment member is a flange, flap, tab or tag extending outwardly from the base plate of the fastener.

40. (Original) A fastener according to claim 39 in which the flange or tab is provided with an aperture.

41. (Original) A fastener according to claim 39 in which there are two attachment members in the form of flanges or tabs extending in opposite directions from opposed sides of the base plate.

42. (Original) A fastener according to claim 41 in which the flanges or tabs are angularly inclined to the base plate or are in stepped relationship with the base plate or are in a common plane of the base plate.

43. (Original) A fastener according to claim 29 in which the extension member is, or is provided with, a wing.

44. (Original) A fastener according to claim 43 in which the wing is an arcuate shaped wing.

45. (Original) A fastener according to claim 44 in which the arcuate wing is adjustable in length.

46. (Currently Amended) A fastener according to claim 43 in which the wing is provided with a frangible section or break-line permitting unwanted segments ~~segements~~ of the wing to be removed from the wing in order to adjust the length of the wing.

47. (Original) A fastener according to claim 46 in which the wing is provided with a projection in the form of a boss, stud or raised connecting portion located at or towards one end for pivotal connection of the wing to the flange or tab of the fastener allowing pivotal movement of the wing with respect to the base plate.

48. (Original) A fastener according to claim 47 in which the projection is received within an aperture provided in the tab, providing pivotal movement of the wing with respect to the fastener.

49. (Original) A fastener according to claim 48 in which there are two wings extending in opposite directions from the opposed tabs provided on either opposed side of the base plate allowing separate pivotal movement of the wings to conform to the anatomy of the mouth of the person using the device.

50. (Original) A fastener according to claim 49 in which the wing or wings are continuously selectively positionable with respect to the fastener to adopt a variety of orientations in order to accommodate differences in individual requirements depending upon the anatomy of the mouth of the person using the splint.

51. (Original) A fastener according to claim 50 in which the orientation of the wings about the fastener can extend from subtending an angle of about 13° to about 41° between the wings or with respect to the center line of the fastener.

52. (Original) A fastener according to claim 51 in which the wings extend on either side of the fastener include a tray member and a deformable thermoplastic material located within the tray member, such that the material is mouldable when soft to conform to the shape of the teeth of the person using the device.

53. (Original) A fastener according to claim 29 in which the connector engages a complementary connector provided on or in the second arch member, in which the complementary connector is in the form of a lip, shelf, groove, slot, flange, ring or loop.

54. (Original) A fastener according to claim 53 in which the complementary connector is rearwardly directed and is located at or towards the center of the second arch member.

55. (Original) A fastener according to claim 53 in which a hook disposed on the connector engages with a lip or flange of the complementary connector so that movement of the hook causes corresponding movement of the second arch member having the lip or flange to bring the lower jaw forward with respect to the upper jaw thereby altering the shape of the airway to reduce or prevent snoring.

56. (Original) A fastener according to claim 29 which is manually adjustable or is automatically adjustable using either a means for manual adjustment or a means for motorized adjustment.

57. (Currently Amended) An arch member of a dental ~~mandibular~~ splint for use in treating a person suffering from a sleep disorder, the arch member comprising:

at least one extension member; and

a fastener comprising:

a locator for locating the fastener within the mouth of the person being treated;

an adjustable connector for connecting the arch member to another arch member,

the connector being adjustable so as to selectively adjust the position of the two arch members with respect to each other; and

an attachment member for attaching the extension member to the fastener such

that the extension member is selectively movable about the attachment member to adopt a selective orientation with respect to the fastener to form the arch member in accordance with the specific requirements of a person being treated for the sleep disorder.

58. (Currently Amended) A dental ~~mandibular~~ splint for treating a person suffering from a sleep disorder, the splint including two arch members connected together in use of the splint, wherein at least a first of the arch members includes:

at least one extension member; and

a fastener comprising:

a locator for locating the fastener when forming the arch member;

an adjustable connector for connecting the two arch members together in use of

the splint, the connector being adjustable to selectively position the two arch members with respect to each other in a pre-determined position; and an attachment member for attaching at least one extension member to the fastener wherein the extension member is selectively movable about the attachment member to adopt a selective orientation with respect to the fastener in accordance with the specific requirements of a person being treated for the sleep disorder,

wherein the other arch member is provided with a complementary connector which is complementary to the adjustable connector of the first arch member to maintain the two arch members in the pre-determined position.

59. (Currently Amended) A method of treating a person suffering from sleep disorder with a dental ~~mandibular~~ splint, the splint including two arch members where at least one arch member is provided with an adjustable fastener for connecting the two arch members together, the method including the steps of:

either sequentially or simultaneously locating the two arch members either in combination or separately in the oral cavity of the person;
connecting the two arch members together, if required; and
selectively adjusting the position of the two arch members with respect to each other by adjusting the adjustable fastener, wherein the adjustable fastener provided on one of the arch members includes:

a locator for locating the fastener within the mouth of the person being treated;
an adjustable connector for connecting the two arch members together; and
an attachment member for attaching at least one extension member to the fastener wherein the extension member is selectively movable about the attachment member to adopt a selective orientation with respect to the fastener in accordance with the specific requirement of the person being treated.

60. (New) A fastener according to claim 29, further comprising:

a locator for locating the fastener at a preselected position within the mouth of the person being treated; and

an adjustable connector for cooperatively connecting the first arch member to the second arch member for selectively adjusting the position of the first and second arch members with respect to each other to adopt a predetermined position within the mouth of the person being treated.

61. (New) A fastener according to claim 30 in which the locator extends substantially perpendicularly from the base plate.
